This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

REG. 176
KF 38

By Exchange of
Duplicates.
8 Dec., 1880.

~~6216.8~~
1

Dup. 659.112

THE

MUNICIPAL REGISTER,

CONTAINING

THE CITY CHARTER,

WITH

RULES AND ORDERS

OF

THE CITY COUNCIL:

ALSO

THE ORDINANCES,

AND A

LIST OF THE OFFICERS

OF

THE CITY OF NEWBURYPORT, Mass.

FOR

1852.

NEWBURYPORT:
HUSE & NASON, PRINTERS, UNION OFFICE.
1852.

REG. 176
DEC 8 1880
By exchg. from Hall.
(1852, 1863, 1869.)

CITY CHARTER.

COMMONWEALTH OF MASSACHUSETTS.

In the Year One Thousand Eight Hundred and Fifty-one.

AN ACT

TO ESTABLISH THE CITY OF NEWBURYPORT.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

Newburyport to be a city.

SECT. 1. The inhabitants of the town of Newburyport shall continue to be a body politic and corporate, under the name of the City of Newburyport, and as such, shall have, exercise, and enjoy all the rights, immunities, powers, and privileges, and shall be subject to all the duties and obligations now incumbent upon, and appertaining to, said town, as a municipal corporation,

Administration to be vested in mayor, aldermen, and common council.

SECT. 2. The administration of all the fiscal, prudential, and municipal affairs of said city, with the government thereof, shall be vested in one principal officer, to be styled the mayor; one council of six, to be called the board of aldermen; and one council of eighteen, to be called the common council; which boards, in their joint capacity, shall be denominated the city council, and the members thereof shall be sworn to the faithful performance of their respective offices. A majority of each board shall constitute a quorum for doing business.

Selectmen to divide the town into wards.

SECT. 3. It shall be the duty of the Selectmen of Newburyport, as soon as may be, after the passage of this act, and its acceptance by the inhabitants, as hereinafter provided, to divide said town into six wards, to contain, as nearly as conveniently may be, an equal number of inhabitants, which proceedings of the selectmen shall be subject to the revision of the city council, within one year after the passage of this act. And it shall be the duty of the city council, once in five years, and not oftener, to revise, and if it be needful, to alter said wards, in such manner as to preserve,

To be revised every five years by city council.

as nearly as may be, an equal number of inhabitants in each ward.

Election and duties of warden and clerk.

SECT. 4. On the second Monday in December, anuually, there shall be chosen by ballot, in each of said wards, a warden, clerk, and three inspectors of elections, residents of wards in which they are chosen, who shall hold their offices for one year, and until others shall have been chosen in their places, and quailfied to act. It shall be the duty of such wardens to preside at all ward meetings, with the power of moderators of town meetings; and, if at any meeting, the warden shall not be present, the clerk of such wards shall call the meeting to order, and preside until a warden *pro tempore* shall be chosen by ballot; and if at any meeting, the clerk shall not be present, a clerk *pro tempore* shall be chosen by ballot. The clerk shall record all the proceedings, and certify the votes given, and deliver to his successor in office all such records and journals, together with all other documents and papers held by him in said capacity. And it shall be the duty of the inspectors of elections to assist the warden in receiving, assorting and counting the votes. And the warden, clerk and inspectors, so chosen, shall

And inspectors of elections.

respectively make oath or affirmation, faithfully and impartially to discharge their several duties relative to all elections, which oath may be administered by the clerk of such ward to the warden, and by the warden to the clerk and inspectors; or by any justice of the peace for the county of Essex. All warrants for meetings of the citizens for municipal purposes, to be held either in wards or in general meetings, shall be issued by the mayor and aldermen, and shall be in such form, and shall be served, executed and returned, in such manner and at such times, as the city council may, by any by-law, direct.

Warrants for ward and city meetings.

Elections of mayor and city council (amended, see additional act.)

SECT. 5. The mayor and six aldermen, one alderman being selected from each ward, shall be elected by the qualified voters of the city at large, voting in their respective wards; and three common council men shall be elected from and by the voters of each ward, being residents in the ward where elected.—All said officers shall be chosen by ballot and shall hold their offices for one year from the first Monday in January, and until others shall be elected and qualified.

Proceedings of ward meetings.

SECT. 6. On the second Monday of December, annually, the qualified voters

in each ward shall give in their votes for mayor, aldermen and common council men, as provided in the preceding section; and all the votes so given, shall be assorted, counted, declared and registered, in open ward meeting, by causing the names of persons voted for, and the number of votes given for each, to be written in the ward records in words at length. The clerk of the ward, within twenty-four hours after such election, shall deliver, to the persons elected members of the common council, certificates of their election, signed by the warden and clerk, and by a majority of the inspectors of elections, and shall deliver to the city clerk a copy of the records of such elections, certified in like manner: *provided, however*, that, if the choice of the common councilmen shall not be effected on that day, the meeting may be adjourned, from time to time, to complete such election.— The board of aldermen shall, as soon as conveniently may be, examine the copies of records of the several wards, certified as aforesaid, and shall cause the person who may have been elected mayor, to be notified, in writing, of his election; but if it shall appear that no person has received a majority of all

Certificates of election.

the votes, or if the person elected shall refuse to accept the office, the board shall issue their warrants for a new election, and the same proceeding shall be had as are hereinbefore provided for the choice of a mayor, and repeated, from time to time, until a mayor shall be chosen.

To supply vacancy in the office of mayor.

In case of the decease, resignation or absence, of the mayor, or his inability to perform the duties of his office, it shall be the duty of the board of aldermen and common council, in convention, to elect a mayor to serve during the unexpired term, or until the occasion, causing the vacancy, is removed. And if it shall appear that the number of aldermen have not been elected, the same proceedings shall be had as are hereinbefore provided for the choice of mayor. Each alderman shall be notified, in writing, of his election, by the mayor and aldermen for the time being.

Mayor's oath.

The oath prescribed by this act shall be administered to the mayor by the city clerk, or any justice of the peace for the county of Essex.

Organization of city government.

The aldermen and common councilmen elect shall, on the first Monday in January, at ten o'clock in the forenoon, meet in convention, when the oath re-

quired by this act shall be administered to the members of the two boards present, by the mayor, or by any justice of the peace for the county of Essex; and a certificate of such oath having been taken, shall be entered on a journal of the mayor and aldermen, and of the common council, by their respective clerks.

Notice to convention when no mayor is elected.

And whenever it shall appear that no mayor has been elected, previously to the said first Monday in January, the mayor and aldermen, for the time being, shall make a record of that fact, an attested copy of which the city clerk shall read at the opening of the convention to be held as aforesaid.

Organization of the common council.

After the oath has been administered as aforesaid, the two boards shall separate, and the common council shall be organized by the choice of a president and clerk, who shall be sworn to the faithful performance of their duties.

In absence of mayor at first meeting.

In case of the absence of the mayor elect, on the first Monday in January, the city government shall organize itself in the manner hereinbefore provided, and may proceed to business in the same manner as if the mayor were present, and the oath of office may be administered to the mayor at any time

thereafter, in a convention of the two branches.

Mayor pro tem.

In the absence of the mayor, the board of aldermen may choose a chairman *pro tempore*, who shall preside at joint meetings of the two boards.

Each board to judge of its own members, &c.

Each board shall keep a record of its own proceedings and judge of the election of its own members; and in case of failure of an election, or in case of any vacancy declared by either board, the mayor and aldermen shall order a new election.

Duties of mayor.

SECT. 7. The mayor thus chosen and qualified, shall be the chief executive officer of said city; it shall be his duty to be vigilant in causing the laws and regulations of the city to be enforced, and to exercise a general supervision over the conduct of all subordinate officers, and to cause their neglect of duty to be punished; he may call special meetings of the boards of aldermen and common council, or either of them, when necessary, in his opinion, by causing notices to be left at the places of residence of the several members; he shall communicate, from time to time, to both of them, such information and recommend such measures, as, in his opinion, the interests of the city may

require; he shall preside in the board of aldermen, and in convention of the two boards, but shall have a casting vote only. And the mayor shall receive no compensation for his services.

Executive power in the mayor and aldermen.

SECT. 8. The executive power of said city generally, and the administration of the police, with all the powers heretofore vested in the selectmen of Newburyport, shall be vested in, and may be exercised by the mayor and aldermen as fully as if the same were herein specially enumerated.

Police Officers.

The mayor and aldermen shall have full and exclusive power to appoint a constable and assistants, or a city marshal and assistants, with the powers and duties of constables and all other police officers, and the same to remove at pleasure. And the mayor and aldermen may require any person, who may be appointed marshal or constable of the city, to give bonds for the faithful discharge of the duties of the office, with such security and to such amount, as they may deem reasonable and proper; upon which bonds the like proceedings and remedies may be had, as are by law provided in the case of constables' bonds taken by the selectmen of towns.

To give bonds if required.

Mayor and aldermen to perform certain duties.

The mayor and aldermen shall perform the duty imposed upon the selectmen of the town of Newburyport, by the fifth section of an act to annex a part of the town of Newbury to Newburyport, enacted the seventeenth day of April, eighteen hundred and fifty-one, and shall be liable to the forfeiture therein prescribed, if they neglect so to do.

The custody, and visitation of all trust funds, now vested in the selectmen of Newburyport, shall be transferred to and vested in the mayor and aldermen.

Certain officers, how appointed.

All other powers now vested in the inhabitants of said town, and all powers granted by this act shall be vested in the mayor and aldermen and common council of said city, to be exercised by concurrent vote, each board to have a negative upon the other; but the city council shall, annually, as soon after their organization as may be convenient, elect, by joint ballot, in convention, a city treasurer, collector of taxes, three assessors and three assistant assessors, and a city clerk, and shall, in such manner as said city council may determine by any by-law made for the purpose, appoint or elect all subordinate officers, not herein otherwise directed,

for the ensuing year, define their duties, and fix their compensations, in cases where such duties and compensations shall not be defined and fixed by the laws of the Commonwealth.

Sittings public.

All sittings of the mayor and aldermen, of the common council, and of the city council, shall be public, when they are not engaged in executive business.

Appropriations.

The city council shall take care that money shall not be paid from the treasury unless granted or appropriated; shall secure a just and prompt accountability, by requiring bonds, with sufficient penalty and sureties, from all persons entrusted with the receipt, custody, or disbursement of money; shall have the care and superintendence of city buildings, and the custody and management of all city property, with power to let or sell what may be legally let or sold; and to purchase property, real or personal, in the name and for the use of the city, whenever its interest or convenience may, in their judgment, require it.

Receipts and expenditures.

And the city council shall, as often as once a year, cause to be published, for the use of the inhabitants, a particular account of receipts and expenditures, and a schedule of city property.

Mayor to nominate officers.

SECT. 9. In all cases in which appointments are directed to be made by the mayor and aldermen, the mayor shall have the exclusive power of nomination, being subject, however, to confirmation or rejection by the board of aldermen; and no person shall be eligible to any office of emolument, the salary of which is payable out of the city treasury, who, at the time of such appointment, shall be a member of the board of aldermen, or of the common council.

Members of city council not eligible to offices of emolument.

Duties of city clerk.

SECT. 10. The city clerk shall also be clerk of the board of aldermen, and shall be sworn to the faithful performance of his duties. He shall perform such duties as shall be prescribed by the board of aldermen; and he shall perform all the duties and exercise all the powers by law incumbent upon, or vested in, the town clerk of the town of Newburyport.

Overseers of the poor.

SECT. 11 The qualified votes of each ward, at their respective annual ward meetings, shall elect, by ballot, one person in each ward, who shall be a resident of the ward, to be an overseer of the poor; and the persons thus chosen shall constitute the board of overseers of the poor, and shall have all

the powers, and be subject to all the duties, now by law appertaining to the overseers of the poor for the town of Newburyport.

School Committee.

And the qualified voters shall, at the same time and in like manner, elect two persons in each ward, who shall be residents of the ward, to be members of the school committee; and the persons so chosen shall constitute the school committee, and have the care and superintendence of the public schools.

Assessors' duties.

The assessors, to be chosen as hereinbefore provided, shall constitute the board of assessors, and shall exercise the same powers, and be subject to the same duties and liabilities, that the assessors in the several towns in the Commonwealth may exercise, or be subject to, under existing laws, and shall be sworn, as shall also the assistant assessors, to the faithful performance of their duty.

Council may make a further provision for collection of taxes.

All taxes shall be assessed, apportioned and collected, in the manner prescribed by the laws of the Commonwealth; *provided, however*, that the city council may establish further or additional provisions for the collection thereof.

In case it should be found inconve-

Vacancies how filled.

nient to complete the election, in any ward, of the overseers of the poor and the school committee, on the day of the annual ward meeting, said meeting shall be adjourned, from time to time, until the election shall be completed.

Fire Department.

SECT. 12. An act establishing the fire department in the town of Newburyport, passed March fifth, eighteen hundred and thirty, shall continue in force, and all the power and authority now vested in the selectmen of Newburyport, in relation to the fire department, in that town, shall be transferred to and vested in the mayor and aldermen.

List of jurors how prepared.

SECT. 13. The list of jurors shall be prepared by the mayor and aldermen, in the same manner as it is required in the ninety-fifth chapter of the Revised Statutes, to be done by the selectmen, within and for their respective towns; and the list, when made out by the mayor and aldermen, shall be submitted to the common council, for concurrent revision or amendment.

The mayor and aldermen, and the city clerk, shall severally have and exercise, all the powers and duties, with regard to the drawing of jurors, in the city, and all other matters relating to

jurors therein, which are, in the ninety-fifth chapter of the Revised Statutes, required to be performed by the selectmen and town clerks, in their respective towns: and all venires for jurors to be returned from Newburyport, shall be served on said mayor and aldermen.

SECT. 14. The mayor and aldermen, with the concurrent vote of the common council, shall have exclusive power to lay out, alter, or discontinue, any street, or town way, and to estimate the damages any individual may sustain thereby. Streets and town ways.

And any person dissatisfied with the decision of the city council, in the estimate of damages, may make complaint to the county commissioners of the county of Essex, at any meeting held within one year after such decision, whereupon the same proceedings shall be had as are now by law provided in cases where persons are aggrieved by the assessment of damages by the selectmen, in the twenty-fourth chapter of the Revised Statutes.

SECT. 15. The mayor and aldermen, with the concurrent vote of the common council, shall have the power to cause drains and common sewers to be laid down through any streets or Drains, &c.

private lands, paying the owners such damage as they may sustain thereby, and to require all persons to pay a reasonable sum for the privilege of opening any drain into such public drain or common sewer.

Inspection of lumber, &c.

And the city council may make by-laws, with suitable penalties, for the inspection, survey, measurement, and sale of lumber, wood, coal and bark, brought into the city for sale.

Health.

SECT. 16. All power and authority now vested by law in the board of health for the town of Newburyport, or in the selectmen thereof, shall be transferred to and vested in the city council, to be by them exercised in such manner as they may deem expedient.

Representatives.

SECT. 17. The mayor and aldermen shall, in each year, issue their warrant for calling meetings for the election of the whole number of representatatives to the General Court, to which said city is by law entitled, and the number shall be specified in the warrant.

Elections of County, State and United States officers.

SECT. 18. All elections for county, State, and United States officers, who are voted for by the people, shall be held at meetings of the citizens qualified to vote in such elections, in their

respective wards, at the time fixed by law for these elections respectively; and, at such meetings, all the votes, given for such officers respectively, shall be assorted, counted, declared, and registered, in open ward meeting, by causing the names of all persons voted for, and the number of votes given for each, to be written in the ward record in words at length. The ward clerk shall forthwith deliver to the city clerk a certified copy of the record of such elections. The city clerk shall forthwith record such returns, and the mayor and aldermen shall, within two days after every such election, examine and compare all such returns, and make out a certificate of the result of such elections, to be signed by the mayor and a majority of the aldermen, and also by the city clerk, which shall be transmitted or delivered in the same manner as similar returns are by law directed to be made by selectmen of towns. And in all elections for representatives to the General Court, in case the whole number proposed to be elected shall not be chosen by a majority of the votes legally returned, the mayor and aldermen shall forthwith issue their warrant for a new election conformably to the

provisions of the constitution and the laws of the Commonwealth.

Lists of Voters.

SECT. 19. Prior to every election, the mayor and aldermen shall make out lists of all the citizens of each ward, qualified to vote in such elections, in the manner in which selectmen of towns are required to make out lists of voters; and, for that purpose, they shall have full access to the assessors' books and lists, and be entitled to the assistance of all assessors and city officers; and they shall deliver said lists, so prepared and corrected, to the clerks of said wards, to be used at such elections; and no person shall be entitled to vote whose name is not borne on such lists.

General Meetings.

SECT. 20. General meetings of the citizens qualified to vote may, from time to time, be held, to consult upon the public good, to give instructions to their representatives, and to take all lawful measures to obtain redress for any grievances, according to the right secured to the people by the constitution of this Commonwealth.

And such meetings may and shall be duly warned by the mayor and aldermen, upon the requisition of fifty qualified voters,

SECT. 21. The city council shall

have power to make all such salutary and needful by-laws, as towns, by the laws of this Commonwealth, have power to make and establish, and to annex penalties, not exceeding twenty dollars, for the breach thereof; which by-laws shall take effect, and be in force, from and after the time therein respectively limited, without the sanction of any court or other authority whatever: *provided, however*, that all laws and regulations, now in force in the town of Newburyport, shall, until they shall expire by their own limitation, or be revised or repealed by the city council, remain in force; and all fines and forfeitures, for the breach of any by-law or ordinance, shall be paid into the city treasury. By-Laws. Proviso.

SECT. 22. All fines, forfeitures and penalties accruing for the breach of any by-laws of the city of Newburyport, or of any of the ordinances of the city council, or of any of the orders of the mayor and aldermen, may be prosecuted for and recovered before the police court of said city of Newburyport, by complaint or information, in the same manner in which other criminal offences are now prosecuted before the police courts within this Common- Fines for breach of By-Laws.

wealth; reserving, however, in all cases, to the party complained of and prosecuted, the right of appeal to the court of common pleas, then next to be held in the county of Essex, from the judgment and sentence of the police court.

And the appeal shall be allowed on the same terms, and the proceedings shall be conducted therein in the same manner, as provided in the one hundred and thirty-eighth chapter of the Revised Statutes of this Commonwealth.

And it shall be sufficient, in all such prosecutions, to set forth, in the complaint, the offence fully, plainly, substantially, and formally; and it shall not be necessary to set forth such by-law, ordinance, or order, or any part thereof.

All fines, forfeitures, and penalties, so recovered and paid, shall be paid to the treasurer of the city of Newburyport, and shall enure to such uses as said council shall direct.

When any person, upon any conviction before the police court for any breach of any by-law of said city of Newburyport, or any of the ordinances of the city council, or any of the orders of the mayor and aldermen, shall be sentenced to pay a fine, or ordered to pay any penalty or forfeiture provided

by any such by-law, ordinance, or order, or, upon claiming an appeal, shall fail to recognize for his appearance at the court appealed to, and there to prosecute his appeal, and to abide the sentence or order of the court thereon, and, in the mean time, to keep the peace and be of good behavior; and, upon not paying the fine, penalty, or forfeiture, and cost so assessed upon him, he shall be committed to prison, there to remain until he or she shall pay such fine, forfeiture or penalty, and costs, or be otherwise discharged, according to law.

The provisions of this section shall also apply to all prosecutions founded on the by-laws or ordinances of the town of Newburyport, which may continue in force after this act shall go into operation, and all the powers of the police court, already established, shall be continued to it.

First organization of city government.

SECT. 23. For the purpose of organizing the system of government, hereby established, and putting the same into operation, in the first instance, the selectmen of the town of Newburyport, for the time being, shall, within thirty days after the acceptance of this act, issue their warrants, seven

days at least previous to the day so appointed, for calling meetings of the said citizens, at such place and hour as they may deem expedient, for the purpose of choosing a warden, clerk and inspectors for each ward, and all other officers whose election is provided for in the preceding sections of this act; and the transcripts of the records of each ward, specifying the votes given for the several officers aforesaid, certified by the warden and clerk of each ward at such first meeting, shall be returned to the said selectmen, whose duty it shall be to examine and compare the same, and, in case said elections should not be completed at the first meeting, then to issue new warrants, until such elections shall be completed, and to give notice thereof, in the manner hereinbefore provided, to the several persons elected.

And, at said first meeting, any inhabitant of said ward, being a legal voter, may call the citizens to order, and preside until a warden shall have been chosen. And, at said first meeting, a list of voters in each ward, prepared and corrected by the selectmen for the time being, shall be delivered to the clerk of each ward, when elected,

to be used as hereinbefore provided. And the selectmen shall appoint such time for the first meeting of the city council as they may judge proper, after the choice of city officers, as aforesaid, or a majority of the members of both branches, in the year one thousand eight hundred and fifty-one, and shall also fix upon the place and hour of said first meeting, and a written notice thereof shall be sent, by said selectmen, to the place of abode of each of the city officers chosen as provided in this section.

And after this first election of city officers, and this first meeting for the organization of the city council, as in this section is provided, the day of holding the annual elections, and the day and hour for the meeting of the city council, for the purpose of organization, shall remain as provided in the sixth section of this act. And it shall be the duty of the city council, immediately after the first organization, to elect all necessary city officers, who shall hold their offices respectively until others are chosen and qualified.

City Clerk to have custody of all records &c.

SECT, 24. All officers of the town of Newburyport, having the care and custody of any records, papers, or muni-

ments of property belonging to said town, shall deliver the same to the city clerk, within one week after his entering upon the duties of his office.

Repeal.

SECT. 25. All such acts and parts of acts as are inconsistent with the provisions of this act shall be, and the same are, hereby repealed.

Power of Legislature over this charter.

SEC. 26. Nothing in this act contained shall be so construed as to prevent the Legislature from altering or amending the same whenever they shall deem it expedient.

This act to be void if negatived by the citizens.

SECT. 27. This act shall be void, unless the inhabitants of the town of Newburyport, at a legal meeting called for that purpose, at which the selectmen shall preside, and the check list used in the same manner as at meetings called to choose State officers, and the polls be kept open at least six hours, shall, by a vote of the majority of the voters present and voting thereon, yea or nay, by a written ballot, determine to adopt the same, within twenty days from and after its passage.

SECT. 28. This act shall go into operation from and after its passage.

[Approved by the Governor, May 24th, 1851.]

ADDITIONAL ACT.

AN ACT

In addition to an Act to establish the City of Newburyport.

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows:

SECT. 1, The act passed at the present session of the General Court to establish the City of Newburyport is amended and altered, so that the six Aldermen of the said city provided for by the said act, shall be elected, one by and from the qualified voters of each ward, voting in their respective wards, in the manner prescribed for the election of members of the common council.

Each ward to elect one alderman.

SECT. 2. This act shall be submitted to the inhabitants of the town of Newburyport, for their acceptance or rejection, at the same time, and in the same manner, with the act in which it is in addition, and shall be in force from and after its acceptance by said inhabitants.

[Approved by the Governor, May 24th, 1851.]

STATE LAWS.

AN ACT

To establish a Fire Department in the Town of Newburyport.

SEC. 1. *Be it enacted by the Senate and House of Representatives, in General Court Assembled, and by the authority of the same,* That the Fire Department of the town of Newburyport shall consist of a Chief Engineer, and as many Engineers, or Fire Wardens, not exceeding twelve in number, as the Selectmen of said town shall, annually, on the first Wednesday of April, appoint, who shall hold their office for the term of one year, from the first of May next succeeding their appointment; also, of as many Enginemen, Hosemen, Hook and Laddermen, and Clothmen, as said Selectmen shall, annually, on the first Wednesday in April, or as soon after as may be, appoint, provided that the number of firemen so appointed shall not exceed fifty men to each and every Hydraulion; thirty-five men to each and every common Engine; and five men to

each and every Hose Carriage; that the number of Hook, Ladder and Clothmen shall not exceed fifty, and that the number of hosemen shall not exceed fifty.

SECT. 2. *Be it further enacted*, That the Selectmen of said town shall have power to fill any vacancy which may occur at any time in said Fire Department, give certificates of all appointments, and fix and ordain from time to time the powers and duties of the Chief Engineer and Engineers, or Fire Wardens, respectively, in relation to Fire Engines, and all other fire apparatus, belonging to, or used in said town, and also to fix and ordain, from time to time, such rules and regulations, as may be deemed expedient for the government of said Fire Department, and of the citizens present at fires, and to annex penalties for the breach of any rules or regulations that may so fix and ordain, not exceeding twenty dollars.

SEC. 3. *Be it further enacted*, That the Chief Engineer and Engineers, or Fire Wardens, so appointed, shall have the same authority relative to demolishing or injuring any house, or other building, to prevent the spreading of fires in said Newburyport, and in all other matters relating thereto, as Fire Wardens now by law have; and said town shall be liable to pay to any person or persons, whose property may be so destroyed or injured by di-

rection of said Chief Engineer or Engineers, or Fire Wardens, as the town in said Commonwealth, are now liable to pay in like circumstances, for the acts and directions of Fire Wardens; and all fines and forfeitures arising in said town in pursuance of the existing laws of this Commonwealth, upon the subject, shall be appropriated in such manner, and for such purposes, as the said town, at any town meeting, duly warned for that purpose, shall determine, any thing in said laws to the contrary notwithstanding.

SEC. 4. *Be it further enacted*, That the members of said Fire Department shall be exempted from the performance of service in the militia of this Commonwealth, in like manner, and upon like conditions, as Enginemen are now exempted by law.

SEC. 5. *Be it further enacted*, That the Selectmen of said town of Newburyport are hereby authorized to call a meeting of the inhabitants of said town, to organize a Fire Department, agreeably to the provisions of this Act, by warning the inhabitants in the usual way of calling town meetings in said town, and by causing notice thereof to be published in the Newburyport Herald, a public newspaper printed in Newburyport.

SEC. 6. *Be it further enacted*, That when the said town of Newburyport shall have fully organized a Fire Department, agreeably to the

provisions of this act, and the same shall have been accepted by the inhabitants thereof qualified to vote in town affairs, in town meeting, for that purpose duly assembled, the same shall remain in force until modified or repealed by the Legislature of this Commonwealth; and all the laws relating to Fire Wardens and Enginemen in said town, which are inconsistent with the provisions of this Act, shall be, and are hereby repealed.

[Approved by the Governor, March 5, 1830.]

CITY ORDINANCES.

(No. 1.)

AN ORDINANCE

Concerning City Ordinances.

Be it ordained by the City Council of the City of Newburyport.

SEC. 1. All By-Laws passed by the city council shall be termed Ordinances, and the enacting style shall be—Be it ordained by the city council of the city of Newburyport as follows:

SEC. 2. All Ordinances shall be recorded by the city clerk, in a fair and legible hand, without interlineation or erasure, and in the order in which they shall be passed, in a book to be kept for that purpose; made of strong linen paper, with proper margins and index, and strong bound, to be lettered Record of Ordinances of the city of Newburyport, which Book shall be preserved in the office of the city clerk, subject to the inspection of the citizens.

SEC. 3. All ordinances, and also any orders of the Mayor and Aldermen, which the Mayor may deem advisable, shall be promulgated by causing the same to be inserted two weeks successively in one or more newspapers published in the city,and the Mayor may, in his discretion, cause any such Ordinance or order to be printed separately, and distributed among the citizens.

[Passed July 1, 1851.]

(No. 2.)

AN ORDINANCE

Concerning the Assessment and Collection of Taxes.

Be it ordained, &c., as follows:

SEC. 1. The city treasurer shall be the collector of taxes, and of all suits and other sums payable to the city not otherwise specially provided for.

SEC. 2. The assessors shall make their valuation of estates, and complete the assessment of taxes, and place a list thereof in the hands of the collector, on or before the twentieth day of June in each year.

SEC. 3. The assessors, if they shall abate any tax wholly, or in part, shall keep a record thereof in a book to be provided for that purpose, which record shall contain the name of

the person whose tax shall be so abated, the amount of his tax as originally assessed, the amount abated, and the reason for such abatement, and they shall lay such record before the city council in the last week of November, annually. The assessors shall decide fully upon all applications for abatement, on or before the thirtieth day of October in each year.

SEC. 4. The collector shall, within thirty days after the assessors shall have placed any list of taxes in his hands for collection, deliver to every person, on whom any tax shall have been assessed, or leave at his usual place of residence, or business, a bill of such taxes, which shall be equivalent to a special demand of payment thereof by the collector, and in case any such tax shall be unpaid on the first day in November in each year, the treasurer shall issue a summons to the person or corporation owing such tax, and if said tax, and the sum of twenty cents for said summons, be not paid within ten days after the service of said summons, a warrant shall be issued for the collection of the same according to law.

SEC. 5. The collector shall, in every case, exact the payment of the sum of twenty cents for the summons when issued, and also the same fees for collection which are allowed by law on executions together with the interest, from said first day of November, when the tax is not paid within ten days after the service of such sum-

mons. He shall keep a record of all sums and fees so paid, which record he shall lay before the city council, on or before the twentieth day of December in each year, and all said sums and fees, when received by him, shall be paid into the city treasury.

SEC. 6. The collector shall, within the municipal year for which he is chosen, collect all taxes committed to him, from all persons against whom he shall have any tax, and who shall be resident in, or have sufficient goods or estate within the city, and he may for this purpose pursue any of the remedies by law in such cases provided.

SEC. 7. The collector may make such discounts, for prompt payment of tax bills, as may from time to time be prescribed by the city council.

[Passed July 1851.]

(No. 3.)

AN ORDINANCE

Establishing a System of Accountability in the Expenditures of the City.

Be it ordained, &c., as follows:

SEC. 1. There shall be appointed, at the commencement of each municipal year, a joint standing committee on accounts, consisting of two members of the board of aldermen, and

three members of the common council; which committee shall meet, once at least every month, and carefully examine and audit all accounts and claims against the city which shall be laid before them, certified as provided in the succeeding sections; and shall pass and allow the same if found to be correct and justly due.

SEC. 2. No account or claim against the city shall be received or acted on by the committee on accounts, unless such account or claim shall be accompanied with a certificate of the mayor, or some officer, committee or agent, authorized on behalf of the city, to make the contract or cause the expenditure to be made, that the same is correct.

SEC. 3. The city clerk shall receive all accounts and claims from persons having demands against the city, which shall have been certified, as provided in the foregoing sections. He shall examine all such accounts and claims, and see that they are correctly cast, and present the same monthly, neatly folded, filed and labelled, to the committee on accounts. He shall keep a book, under direction of said committee, wherein he shall enter an abstract of every account or claim as finally allowed by said committee, designating the fund or appropriation from which the same shall be paid, and the certificates of said committee, allowing the account or claim, shall be made in the book thus kept by the city clerk. He shall cause all the books, papers,

vouchers and documents under his care, to be securely kept in a fire-proof office or safe belonging to the city. And he shall render such other services respecting the accounts and finances of the city, as either branch of the city council or any committee thereof shall from time to time require.

SEC. 4. The city clerk shall also, under the direction of the committee on accounts, keep a book or ledger, in which he shall enter the different appropriations made by the city council, each under its appropriate head, and charge to each the different expenditures and payments, from time to time made therefrom. Whenever any appropriations shall be exhausted, the city clerk shall immediately give notice thereof to the mayor, to the committee on finance, and to the committee on accounts, which last named committee shall pass or allow no claim or account, chargeable to any head of appropriation which is exhausted, until the city council shall have provided further means of paying the same. He shall open an account with the treasurer, charging him with the whole amount of taxes for collection, and also with the amount of loans and sums of money which may be borrowed for the city, and securities and sums receivable, in order that the description and nature of all funds belonging to the city, may be seen at any time on his books. The assessors shall, annually, on the last day of October, or

within ten days thereafter, report to the city clerk all abatements of taxes made by them.

SEC. 5. No money shall be drawn out of the city treasury, except on the written order of the mayor, addressed to the treasurer, and countersigned by the city clerk, and numbered so as to correspond with the number of the account or claim it shall be drawn to pay.

SEC. 6. The mayor is hereby authorized to draw orders on the treasury for the payment of any account or claim against the city, allowed and certified by the committee on accounts, as provided in first section, and for no account or claim not so certified, except as provided in the succeeding section; nor shall he draw any order in payment for any class of expenditure, beyond the sum specifically appropriated therefor by the city council.

SEC. 7. Any sum of money which shall have been specially appropriated for the payment of principal or interest due on any note, or other security, of the city or of the town of Newburyport, may be drawn from the treasury, and paid by the order of the mayor for the purpose for which it was appropriated, without any action on the part of the committee on accounts; and, whenever it shall be necessary to pay money in advance, on contract made for work begun, but not completed, the mayor, upon being satisfied of such necessity, may draw his order on the treasurer for any sum not ex-

ceeding five hundred dollars at any one time.

SEC. 8. Whenever any money shall be drawn from the treasury for the purpose specified in the foregoing section, the city clerk shall report the same, and the amount thereof,to the committee on accounts, at their next meeting, and shall charge the same under the appropriate head of expenditure.

SEC. 9. All officers of the city, who shall in their official capacity receive any money in its behalf, shall pay to the treasurer the amount in their hands once in each month, and oftener if required. All other persons, who shall have in their hands money belonging to the city, shall forthwith pay the same to the treasurer.

SEC. 10. All officers and agents of the city, receiving money in its behalf,shall, once in each month, deliver to the city clerk a report in detail, of the amount received, and of the disposition made thereof, except in cases otherwise provided.

SEC. 11 The city treasurer shall, under the direction of the committee on accounts, keep in a book provided for the purpose, an accurate and true account of all his receipts and payments in behalf of the city, making the same conform, in the mode of entry,as nearly as may be, with the accounts kept by the city clerk. He shall not pay any money out of the treasury except upon order of the mayor, drawn as prescribed in this ordinance. He shall, once in six

months, and oftener if required, lay before the city council a statement of the condition of the treasury, and all monies received and paid by him on account of the city, during the preceding six months.

SEC. 12. There shall be appointed, at the commencement of each municipal year, a committee on finance, consisting of the mayor, one member of the board of aldermen, and five members of the common council, which committee shall negotiate all loans to the city, which may be authorized by the city council, and shall report the same to the city treasurer.

SEC. 13. The committee on finance shall, in the month of January, annually, prepare and lay before the city council, an estimate of the amount of money necessary to be raised for the current financial year, under various heads of appropriations, the ways and means of raising the same; and shall also in the month of December, annually, prepare and lay before the city council a statement of all the receipts and expenditures of the preceding financial year, giving in detail the amount of appropriations and expenditures for each department; and said statement shall be accompanied with a schedule of the property, real and personal, belonging to the city, and the value thereof, and the amount of debt of the city.

SEC. 14. The committee on finance, shall at the close of each municipal year, and as

much oftener as they shall deem expedient, examine and audit the accounts of the city treasurer, and, for that purpose, shall have access to all books and vouchers in his possession or in that of the city clerk, or of any other officers in the city. The said committee shall also ascertain whether all monies due to the city have been collected and accounted for; and they shall examine all notes and securities in his hands, belonging to the city, and make report thereof to the city council.

SEC. 15. The city treasurer shall make up his accounts to the first day of December, and the financial year shall begin and end on that day in each year.

SEC. 16. The city clerk shall give bonds in the penal sum of three thousand dollars, for the faithful performance of all duties prescribed for him in this ordinance, and the delivery to his successor of all books, papers, and property, belonging to said office.

SEC. 17. The city treasurer and collector shall give bonds with sufficient sureties, in the sum of twenty thousand dollars, to the satisfaction of the mayor and aldermen, for the faithful performance of the duties of the said office of treasurer and collector, and that he will truly and justly account for all monies that may come into his hands.

[Passed June 27, 1851.]

(No. 4.)

AN ORDINANCE

Prescribing the mode of appointment of certain City Officers.

Be it ordained, &c., as follows:

The mode of electing all city officers for which provision is not otherwise made, either by the laws of the Commonwealth, or by some other ordinance of the city, shall be as follows, to wit: They shall first be elected by the mayor and aldermen, and sent down to the common council for its concurrence, rejection, or amendment.

[Passed June 27, 1851.]

(No. 5.)

AN ORDINANCE

Concerning the Form of Warrants, and the manner of serving, executing and returning the same.

Be it ordained, &c., as follows:

SEC. 1. The form of warrants for calling meetings of the citizens of the several wards, shall be as follows, namely:

CITY OF NEWBURYPORT.

To either Constable of said city, Greeting:

In the name of the Commonwealth of Mas-

sachusetts, you are hereby required forthwith to warn the cit zens of ward No. — qualified to vote as the law directs, to assemble at —— on —— the —— day of —— at — o'clock in the forenoon, then and there to give in their ballots for———

Hereof fail not, and have you there this warrant with your doings thereon.

[Seal.] Witness —— ——, mayor of said city of Newburyport, this —— day of ——, in the year of our Lord one thousand eight hundred and ——.

By order of the mayor and aldermen.

—— ——, City Clerk.

Sec. 2. The form of warrants for calling general meetings of the citizens, shall be as follows, namely:

CITY OF NEWBURYPORT.

To either of the Constables of said city:

In the name of the Commonwealth of Massachusetts, you are hereby required forthwith to warn the citizens of Newburyport, qualified to vote as the law directs, to assemble in general meeting at the City Hall, on —— the —— day of —— at — o'clock, then there to———.

Hereof fail not, and have you there this warrant with your doings thereon.

[Seal.] Witness —— ——, mayor of our City of Newburyport, on this —— day of ——

in the year of our Lord one thousand eight hundred and ——.

By order of the mayor and aldermen.

——— ———, City Clerk.

SEC. 3. All warrants, whether for calling general meetings, or meetings of the several wards, shall be issued by the mayor and aldermen, four days at least before the holding of the same; they shall be signed by the city clerk, and they shall be served by either constable of the city by leaving a copy thereof at the residence of each citizen qualified to vote at the meetings called thereby, by posting a copy thereof in a suitable public place, or by publishing the same in one or more of the newspapers of the city, as the mayor and aldermen may direct. And the constable to whom any warrant shall be delivered for service, shall seasonably return the same with his doings thereon, to the mayor and aldermen, if it be for a general meeting, otherwise, to the warden of the ward named therein.

SEC. 4. It shall be the duty of the mayor and aldermen to fix the time when the poll shall be opened and closed, in the election of all officers except ward officers, and to insert the same in the warrant for the meeting.

[Passed July 1, 1851.]

(No. 6.)

AN ORDINANCE

Providing for the execution of Deeds in behalf of the city.

Be it ordained, &c., as follows:

The mayor is hereby authorized and empowered to affix the seal of the city unto, and to execute and deliver in behalf of the same, all Deeds and other legal instruments required by any order of the city council.

[Passed July 1, 1851.]

(No. 7.)

AN ORDINANCE

Relating to the Superintendance of Highways.

Be it ordained, &c., as follows:

SEC. 1. The superintendance of the streets, roads, bridges and public squares of the city, is vested in a joint standing committee, consisting of the board of aldermen and one common council man for each ward, to be styled the joint standing committee on highways, who shall attend to the making, widening, reparation or altering of the same, and the removal of any obstructions or encroachments thereof.

SEC. 2. The standing committee may employ such person or persons to labor on said highways, as they shall deem for the interests

of the city, and may employ the city teams under the direction of a standing committee on the city property.

[Passed July 1, 1851.]

(No. 8.)

AN ORDINANCE

Authorizing the appointment and prescribing the duties of City Marshal and Assistants.

Be it ordained, &c., as follows:

SEC. 1. The mayor and aldermen shall forthwith, and hereafter, annually, in the month of January or February, appoint a city marshall, who shall receive such compensation for his services as the city council shall direct.

SEC. 2. Said city marshal shall be appointed to the office of constable, and he shall have precedence and command over the other constables whenever engaged in the same service, or when directed thereto by the mayor and aldermen. And the said city marshal, before entering upon the duties of his office, shall be sworn to the faithful performance of the duties thereof, by the mayor. He shall also give bonds, in a sum not less than five hundred dollars, with sufficient sureties, to be approved by the mayor and aldermen, for the faithful performance of the duties of said office.

SEC. 3. The said city marshal may em-

ploy an assistant or assistants, not exceeding two, to be approved by the mayor and aldermen, and to be selected from the constables of the city. And the said assistant, or assistants, shall have power and authority to assist the city marshall in the execution of his office, or in his absence to officiate in his stead. Said assistants shall receive such reasonable compensation, for services rendered, as the city council may from time to time allow. The said assistant, or assistants, shall, if the mayor and aldermen require it, give bonds, with sufficient sureties, for the faithful performance of the duties of their office.

SEC. 4. It shall be the duty of the city marshal and of his assistants, to pass, from time to time, through the streets and allies of the city, with a view to remove by prosecution or otherwise all nuisances, obstructions, and impediments therein. He shall receive all complaints for any violation of the laws in relation to the city, and of the ordinances and by-laws thereof, and for that purpose shall attend daily, at some stated time, in one of the public offices of the city to be designated by the mayor. He shall prosecute all offenders against such laws, ordinances, and by-laws as soon as may be, and shall take all proper measures to enforce, and carry into effect, all and every section of the city ordinances and by-laws. He shall obey and execute all the orders and commands of the

mayor and aldermen, in relation to any matter or thing concerning the city, and shall comply with all such regulations, as may by them at any time be prescribed. He shall keep a correct record of the doings of his office, and shall make a regular report thereof to the city council, once in three months, and at such other times as they shall require, which report shall contain an exact account of all fees received by him, or his assistants, for service of process, either civil or criminal, and of all other fees which he or they may have received, or to which he or they may be entitled, as executive officers, complainants, witnesses, or otherwise. This report shall also contain a full statement of all prosecutions instituted in the police court of this city, for offences committed within its limits, either against the laws of the state, or the by-laws and ordinances of the city, and the statement shall discriminate between those prosecutions founded upon the complaints of the city marshal and any of his assistants or constables of the city, and those founded upon the complaints of other persons. The city marshal shall receive, collect and pay over to the treasurer of the city all fines and penalties incurred for a violation of its by-laws and ordinances.

SEC. 5. The mayor and aldermen may at any time, by vote remove from the office, the city marshal, or either of his assistants, and

thereupon, or in case of his or their death or resignation, proceed to appoint a successor or successors for the residue of the year.

(No. 9.)

AN ORDINANCE

Establishing a Night Watch for preserving the safety and good order of the City of Newburyport.

Be it ordained, &c., as follows:

ART. 1. The mayor and aldermen are authorized and required, to appoint such number of persons to be watchmen by night, in the city of Newburyport, as they shall judge expedient, and to remove the same at their discretion; and to designate one of said watchmen, to be officer of the watch.

ART. 2. The officer of the watch, and the other watchmen appointed in virtue of this ordinance, shall have the powers and perform the duties enacted in reference to such officers and watchmen by the seventeenth chapter of the revised statutes, and any other law of the Commonwealth; and shall receive directions as to the hour of setting and closing the watch, and and other matters appertaining to their office, from the mayor and aldermen.

ART. 3. The said officer of the watch, and other watchmen, shall receive such compensa-

tion for their services, as the mayor and aldermen shall establish.

[Passed July 3, 1851.]

(No. 10.)

AN ORDINANCE

For the prevention of certain acts in the streets of the city.

Be it ordained, &c., as follows:

SEC. 1. No person except a surveyor of highways, or other persons acting under the authority of the legislature, or of the city council, shall break or dig up the ground or stones in any street, or other way of the city, or erect any staging for building, nor deposit any stone, bricks, timber or other building material thereon, without license first had and obtained from the mayor and aldermen, who are authorized to grant the same on such condition as they deem safe and proper.

SEC. 2. No person shall make, erect or maintain any door step, porch, entrance or passage-way to any cellar or basement, or any other structure in or upon any street or other way of the city, without permission in writing from the mayor and aldermen, who shall judge of the propriety of granting the same.

SEC. 3. No person shall suffer his well, cistern or drain, to remain open or uncovered in

any street or other way of the city, without a sufficient curb, guard or fence thereto, nor dig or sink any excavation of the earth, nor suffer any excavation to exist on his own premises adjoining or near to any street or way, unless the same be enclosed by a railing or fence for the safety of passers by.

SEC. 4. No person shall continue any carriage or other vehicle of any description, with or without horses, or other animals attached thereto, in any street or way so as to obstruct the same, after having been requested by any person having occasion to use such street or way, or after having been ordered by the mayor or city marshal, or any one authorized by the city to remove the same.

SEC. 5. No person shall drive, draw or pass any cart, barrow, sled or other such object on any sidewalk of the city to the obstruction of any passenger, nor permit any horse or other draught animal, or any cow to pass thereon while under his care; nor occupy, encumber or obstruct any street by means of boxes, crates, casks, barrels, or other things, or in any other way hinder or obstruct the convenient use of the streets and other ways by all passengers.

SEC, 6. No person shall stop his team or carriage, or place any other obstruction on or across any flag stones or other footways which have been or shall be laid in any street or way of the city.

SEC. 7. No person shall ride any horse, or drive any horse attached to any carriage in any street or way at an immoderate pace, and every person riding or driving a horse in any street or way, shall conduct the same with reasonable care and prudence, so as not to endanger the public safety.

SEC. 7. No person shall put, or place, or cause to be put or placed in or upon any street, way or pond, or other public place of the city, any house dirt, ashes, shavings, offal, carrion filth, suds, shrubs, shells, stones, or any rubbish, or like objects, whatever, except in such place and manner as the mayor and aldermen shall prescribe.

SEC. 9. No person shall suffer his coal, or fire wood to remain unnecessarily in or upon any street, or other way; and no person shall saw or pile wood, or stand a saw horse on any sidewalk to the hinderance or obstruction of any foot passenger.

SEC. 10. No person shall move, or assist in moving, any building whatever through any street or way, unless by written permission of the mayor and aldermen, under such restrictions as they may see fit to prescribe.

SEC. 11. No person shall swim or bathe without clothes on his person, at or in view of any steamboat landing, nor in any such places as are exposed to view from the public streets, nor so as to unnecessarily annoy the occupants

of dwelling houses; nor at any wharf or landing whatever on the Lord's day.

SEC. 12. No person shall expose for use, any implements or gambling in any public place of the city, nor gamble in any such place.

SEC. 13. No person shall place or maintain any stable, stall, booth or other erection in any public place for any sale of exhibition, without permission of the mayor and aldermen.

SEC. 14. No person shall fire any rocket, squib, crackers, or other thing formed of gunpowder or other explosive substance in whole or in part, nor make any bonfire of tar barrels, or any other object; nor except in the performance of some duty authorized by law, discharge any field piece, gun or other fire arms in or upon any street or other way, or any wharf or landing if within the city.

SEC. 15. No person shall behave himself in a rude or disorderly manner, nor use profane, or insulting language, nor designedly frighten any horse, nor within the compact part of the city shoot with bow and arrows, play at ball, coast on sleds, fly kites, throw stones or other missiles in any street or other public places; nor be on any sidewalk, door step, or fence, or porch, to the annoyance of other persons.

SEC. 16. No person shall make indecent figures, or write indecent words upon any fence,

building, post, trees, or other object, or otherwise deface or injure the same.

SEC. 17. No person shall suffer any cellar door or other passage from a street to a cellar to remain open except when in immediate use; nor suffer any spout to cast water upon any sidewalk, upon the heads of passengers, nor extend any awning beyond the sidewalk, nor place any awning less than seven feet high at the lowest part thereof.

SEC. 18. No person shall remove or erect any post, nor change the grade of any street or sidewalk, or the width of any sidewalk, or the direction of any curb stone thereof, without permission of the mayor and aldermen, and no person shall change the direction or position of any fence or building adjoining any street or other public way, or place any fence or building to adjoin the same, without first having ascertained the true bounds of such street or way by application to the mayor and aldermen.

SEC. 19. No horse shall be turned out loose, and no horse, swine, goat, cow or other cattle shall be suffered to graze or go at large within the city.

SEC. 20. No person shall take hold or ride on the back of any chaise, sleigh or other vehicle while the same is passing in the street, without permission of the owner or driver thereof.

SEC. 21. No persons shall remain collected

on any sidewalk, or in front of any church, dwelling house, or other building so as to obstruct passage along the same, or to impede or annoy other persons.

SEC. 22. No person shall cut or cause to be cut, any ice from frog pond, or any holes in the ice at greater distance from the magin thereof than is necesssary for the watering of horses, cows, or other animals.

SEC. 23. No person shall wash any horse or horses, cows or other cattle, or any carriage or carriages in frog pond.

SEC. 24. Any persons offending against any of the provisions of this ordnance, shall forfeit and pay for each offence a fine of not less than one dollar, nor more than twenty; provided that the complaint for such offence be instituted within three months from the time of its commission.

[Passed July 21, 1851.]

(No. 11.)

AN ORDINANCE

Establishing the office of City Messenger.

Be it ordained, &c., as follows:

SEC. 1. There shall forthwith, and hereafter, in the month of January, annually be elected by the board of aldermen, and sent down for its concurrence to the common coun-

cil, a suitable person to be styled city messenger, who shall receive, deliver, and execute all notifications, summonses and precepts, issued by the mayor, the president of the common council, the city council, or either branch thereof, or by any committee of the same, and make due return thereof. He shall prepare and arrange the rooms in which the city council shall hold their sessions, and attend on both branches when in session, or on either when in session separately, and, under the direction of the proper committees or officers, provide fuel, lights, and other things necessary for the accommodation of both branches of the city council, or any committee thereof. He shall receive and deliver all notifications to officers elected by the city council, by the mayor and aldermen, or at ward meetings, and he shall deliver all notifications to committees, upon the request of the city clerk, clerk of the common council, or chairman of any committee. He shall have the superintendence of the City Hall, and the adjoining rooms, and see that they are kept in good condition. He shall also prepare the rooms selected for ward meetings, and have the same put in good order after said meetings are adjourned, and he shall at all times be subject to such further orders and regulations as the city council may make. He shall receive for his services such compensation as the city council shall annually or from time to time allow.

[Passed Aug. 4, 1851.]

(No. 12.)

AN ORDINANCE
Concerning Common Criers.

Be it ordained, &c., as follows:

SEC. 1. The mayor and aldermen may, from time to time, license, as common criers, such number of persons as they may judge to be for the public good, and the said licenses they may at will revoke, but unless sooner revoked, the said licenses shall continue in force until the tenth day of January next after the date thereof.

SEC. 2. No person, not licensed as aforesaid, shall presume to be a common crier, or to cry any sort of articles, lost or found, stolen goods, strays, public sales or other things, in any of the streets or public places of the city.

SEC. 3 No person shall publicly cry any indecent, profane or libellous matter.

SEC. 4. Every common crier shall keep a list of all matters and things by him cried, and the names of all persons by whom he is employed to cry the same, and shall exhibit said list and names to the mayor and aldermen, whenever thereto required.

SEC. 5. Every person violating the provisions of this ordinance, shall forfeit a sum not less than one dollar, nor more than twenty dollars for each and every offence.

[Passed August 18, 1851.]

(No. 13.)

AN ORDINANCE

In addition to an ordinance on the superintendence of Highways.

Be it ordained, &c., as follows:

SEC. 1. The ordinance passed June 2d, 1851, is amended and altered, so that the mayor shall be ex-officio chairman of the committee on Highways, by such ordinance established. [Passed August 18, 1851.]

(No. 14.)

AN ORDINANCE

To establish the City Arms and Seal.

Be it ordained, &c., as follows:

SEC. 1. The arms of the city shall be the following, to wit:—Quarterly: first, two light houses, in the distance a ship under full sail; second, a steam mill; third, a ship on the stocks; and fourth, (the seal of Newbury in England) on a mount, three domed towers, on each a pennon, crest, a mural coronet, surmounted by two hands conjoined; supporters, two female figures, that on the dexter side representing America, that on the sinister, Massachusetts; scroll Terra Marique.

SEC. 2. The seal of the city shall bear as a device the shield, crest, and scroll of the arms of the city, with the legend, 'City of Newburyport, A. D, MDCCCLI.'

[Passed Sept. 1, 1851.]

(No. 15.)

AN ORDINANCE

To establish a Board of Health, and to prescribe Regulations concerning the same.

Be it ordained, &c., as follows:

SEC. 1. The mayor and aldermen of the city are hereby constituted a board of health, in and for the same, with full power to regulate quarantine, provide for accidents of contagion or infection, remove nuisances or other causes of disease or impurity of air; and generally to possess the powers and perform the duties of boards of health, as defined by the laws of the commonwealth.

SEC. 2. Any place of deposite for house, shop, or other rubbish, or refuse matter, and any drain, privy or vault in any part of the city, which shall appear to the board of health to be unfit, insufficient, or not properly situated, constructed or cleansed, and any cellar or vacant ground, and any hog pen, or deposite of manure in the compact part of the city, may in the discretion of said board, be declared and deemed a public nuisance, and as such be held subject to all the provisions concerning the removal or abatement of the same, provided by the general laws of the commonwealth.

SEC. 3. No vault or privy shall hereafter be constructed so that the inside thereof shall be

less than three feet distant from the land of an adjoining proprietor, without his consent, nor less than six feet from any public street or way; and if constructed at a less distance in either case, the same shall be deemed a public nuisance and treated as such; and any person designing to remove the contents of any vault or privy, shall give twenty-four hours notice thereof to the city marshal, that he may take the direction of the board of health as to the fitness of the time and manner of the same.

SEC. 4. No person shall cast any dead animals, fish entrails, decayed vegetables, house or other rubbish, or any other foul or offensive matter in any dock or landing place within the city, or any of the waters of the river or sea adjacent thereto, except at a point below low water mark, or at such place or places above the same as may be designated by the board of health.

SEC. 5. It shall be the duty of the city marshal, under the direction of the mayor and alderman, to see the execution of the laws of the commonwealth, and of all the ordinances and rules of the city council, having relation to the health of the city; for which purpose he shall, at any time between sunrise and sunset, have power to enter any enclosure, building or vessel when thus ordered by the board of health.

SEC. 6. Any person violating the provisions of this ordinance shall be subject to a penalty

of not more than one hundred dollars, and to such other proceedings and penalties as are provided by the laws of the commonwealth.

[Passed Aug. 4, 1851.]

(No. 16.)

AN ORDINANCE

Concerning the Admeasurement and Sale of Wood, Bark and Coal.

Be it ordained, &c., as follows:

SEC. 1. There shall be appointed annually, and at such other times when occasion requires, such number of persons as the city council may decide, to be measurers of wood and bark, and inspectors of the measurement of coal; any of whom shall be subject to be removed by the mayor and alderman when it shall appear to them that he is negligent or unfaithful in his office.

SEC. 2. The fees for measuring a load or pile of wood or bark, not exceeding two and a half cords shall be twelve and a half cents; over two and half cords and not exceeding ten, five cents per cord; over ten cords four cents per cord; and for measuring a load of charcoal twelve and a half cents; said fees to be paid to the measurer by the seller, and repaid by the purchaser.

SEC. 3. The said measurer shall see that all baskets, used in the measurement of charcoal brought into the city for sale are of legal dimensions, and shall respectively be entitled to receive the penalty provided by law, for the use of unlawful baskets whenever they shall apprehend any person, offending in this behalf.

SEC. 4. The mayor and aldermen may in their discretion, assign and prescribe the places for the measuremeut and sale of wood and bark brought into the city for sale by land, or at the public landing places on the river Merrimac.

SEC. 5. Measurers of wood and bark shall use a form of certificate of measurement to be furnished by the city clerk; and they shall annually, on the first Monday in January of each year, file in the office of the city clerk a return of the wood, bark and coal measured by them respectively during the preceding year.

[Passed Dec. 15, 1851.]

(No. 17.)

AN ORDINANCE

In addition to an Ordinance concerning the Assessment and Collection of Taxes.

Be it ordained, &c., as follows.

The ordinance entitled "An ordinance concerning the assessments and collection of tax-

es," is hereby altered, by substituting for the words "first day of November," wherever they may occur, the words "tenth day of September."

[Passed April 22, 1852.]

CITY OF NEWBURYPORT.

RULES AND ORDERS

OF THE

BOARD OF ALDERMEN.

Article 1. The order of business shall be as follows:

1. The journal of the previous meeting shall be read.

2. Petitions shall next be called for, and be disposed of by reference or otherwise, and also new business may be introduced by any member of the Board.

3. Such nominations, appointments and elections, as may be in order, shall be considered and disposed of.

4. The orders of the day shall be taken up, meaning by the orders of day, the business remaining unfinished at the previous meeting, and such communications as may have been subsequently sent up from the common council.

Art. II. Every ordinance shall pass through the following stages before it shall be considered as having received the final action of this Board, viz: first reading, second reading, passage to be enrolled, passage to be ordained; and every joint resolution shall have two several readings before the question shall be taken on its final passage.

Art. III. An ordinance may be rejected at either stage of its progress; but shall not pass through all its stages in one day.

Art. IV. Standing Committees shall be appointed as follows, viz:

On police.
On elections.
On licenses.
On enrolled bills.

The first committee to consist of the mayor and two aldermen; each of the others of three aldermen.

Art. V. All committees shall be appointed and announced by the mayor, unless the Board shall determine otherwise.

Art. VI. The above rules and orders of business shall be observed in all cases, unless suspended by a vote of two-thirds of the members present, for specific purposes.

RULES AND ORDERS

OF THE

COMMON COUNCIL.

Duties of the President.

Art. 1. The president shall take the chair at the hour to which the council may have adjourned; he shall call the members to order, and, on the appearance of a quorum, shall cause the minutes of the preceding meeting to be read, and proceed to business. In the absence of the president, the oldest member present shall call the council to order, and preside until a president *pro tempore* shall be chosen by ballot. If no member shall receive a majority of the votes upon the first ballot, upon the second a plurality shall elect.

Art. 2. He shall preserve order and decorum; he may speak to points of order in preference to other members, and shall decide all questions of order subject to an appeal to the council, on motion of any member regularly seconded.

Art. 3. He shall decide all votes; but if any member doubt the vote, the president without further debate, shall require the members voting in the affirmative and negative to rise and stand until they are counted, and shall then declare the result.

Art. 4. He shall rise to address the council, or to put a question, but may read sitting.

Art. 5. The president may call any member to the chair, who may preside for one meeting. When the council shall decide to go into committee of the whole, the president shall appoint the chairman. The president may only express his opinion on any subject under debate by leaving the chair, and appointing a member to take it. But the president may state facts, and give his opinion on questions of order, without leaving his place.

Art. 6. The vote on all questions shall be taken by yeas and nays, when one-third of the members present are in favor of it.

Art. 7. He shall propound all questions in the order in which they are moved, unless the subsequent motion shall be previous in its nature; except that in naming sums and fixing time, the largest sum and the longest time shall be put first.

Art. 8. When a question is under debate, the president shall receive no motion, but to adjourn, and to lay on the table, for the previous question, to postpone to a day certain, to com-

mit, to amend, or to postpone indefinitely, which several motions shall have precedence in the order in which they are arranged.

Art. 9. The president shall consider a motion to adjourn, as always first in order; and that motion and the motion to lay on the table, or to take up from the table shall be decided without debate.

Art. 10. He shall put the previous question in the following form: "*Shall the main question be now put?*" and all debate upon the main question shall be suspended, until the previous question shall be decided. After the adoption of the previous question, the sense of the council shall forthwith be taken upon amendments reported by a committee upon all pending amendments, and then upon the main question.

Art. 11. On the previous question, no member shall speak more than once without leave; and all incidental questions of order, arising after a motion is made for the previous questions, shall be decided without debate, except on an appeal; and on such an appeal no member shall be allowed to speak more than once without leave of the council.

Art. 12. When two or more members happen to rise at once, the president shall name the member who is first to speak.

Art. 13. All committees shall be appointed and announced by the president, unless other-

wise provided for, or specially directed by the council.

Art. 14. In all cases the president may vote.

Rights and Duties of Members..

Art. 15. When any member is about to speak in debate, or deliver any matter to the council, he shall rise in his place, and respectfully address the presiding officer; shall confine himself to the question under debate and avoid personality. He shall sit down as soon as he is done speaking

Art. 16. No member in debate shall mention another member by name; but may describe him by some designation intelligible and respectful.

Art. 17. No member speaking shall be interrupted by another, but by rising to call to order, or to correct a mistake. When a member is called to order, he shall immediately sit down, unless permitted to explain; and the council, if appealed to, shall decide on the case without debate; and if the dcision is against the member, he shall not be permitted to speak, unless by way of excuse for the same, until he has made satisfaction.

Art. 18. No member shall speak more than twice to the same question without leave of the council; nor more than once, until all other members choosing to speak, shall have spoken.

Art. 19. A motion may be withdrawn, at any time, by the mover, before a decision or amendment.

Art. 20. Every motion shall be reduced to writing, if requested by the president, or any member of the council; and no member shall be allowed to submit a motion in writing until he has made the same in his place, and it has been seconded.

Art. 21. Any member may require the division of a question, when the sense will admit of it.

Art. 22. No motion or proposition, of a subject different from that under consideration, shall be admitted under color of amendment.

Art. 23. When a vote has passed, it shall be in order for any member who voted in the *majority* to move a reconsideration thereof, at the same or the succeeding meeting, but not afterward; and when a motion for reconsideration is decided, that vote shall not be reconsidered.

Art. 24. At every regular meeting of the council, the order of business shall be as follows, viz:

1st. Papers from the Board of Mayor and Aldermen.

2d. Unfinished business of preceding meetings.

3d. Communications and reports from city officers, presentation of petitions, remonstrances and memorials.

4th. Reports of committees.

5th. Motions, orders, or resolutions.

And the above order shall not be departed from, but by the vote of a majority of the members of the Council present.

Art. 25. No rule or order of the Council shall be suspended unless three-fourths of the members present shall consent thereto; nor shall any rule or order be repealed or amended, without notice being given therefor, at the preceding meeting, nor unless a majority of the whole council shall concur therein.

Art. 26. Every member shall take notice of the day and the hour to which the Council stands adjourned, and shall give his punctual attendance accordingly.

Art. 27. The reading of any paper, when objected to, shall be determined by a vote of the Council.

Art. 28. The seats of the Common Council Board shall be numbered and determined by lot; and no member shall change his seat but by permission of the president.

Art. 29. No member shall be allowed to vote, or serve on any committee, on any question where his private right is concerned, distinct from the public interest.

Art. 30. The members of the Council shall not leave their places, on adjournment, until the president shall declare the Council adjourned.

Art. 31. All salary officers shall be voted for by written ballot.

Of Communications, Committees, Reports, and Resolutions.

Art. 32. All memorials and other papers addressed to the Council, shall be presented by the president, or by a member in his place, who shall explain the subject thereof; and they shall lie on the table, or be taken up in the order in which they were presented, unles the Council shall otherwise direct.

Art. 33. Standing committees shall be appointed on the following subjects, viz: on elections and returns, and on bills in the second reading, each to consist of three members.

Art. 34. All messages to the Mayor and Aldermen shall be drawn up by the Clerk, and sent by the Messenger.

Art. 35. There shall be a standing committee of three members, to be called the committee on bills in the second reading, to whom all bills shall be referred which may pass to a second reading, at this Board, and it shall be the duty of the said committee carefully to examine such bills, to see that they are in technical form, and that their provisions are not repugnant to the laws and constitution of the commonwealth, or to the charter and ordinances of the city; and to make report of them

to the Council before the time assigned for their second reading.

Art. 36. All ordinances shall have two several readings before they shall be finally passed by the Council; and no ordinance, order, or resolution, imposing penalties, or authorizing the expenditure of money, except orders for printing by either branch of the city council, shall have more than one reading on the same day.

Art. 37. All committees of the Council shall consist of three members, unless otherwise ordered; and no report shall be received from any committee, unless agreed to in committee actually assembled.

Art. 38. No committee shall sit during any meeting of the council, without special leave.

Duties of Clerk, &c.

Art. 39. The Clerk shall keep minutes of the votes and proceedings of the council, enter thereon such orders and resolutions as are adopted—shall notice reports, petitions, memorials, and other papers which are presented; and shall enter all accepted reports of select committees of the council, at length, in a separate journal to be kept for that purpose, and provided with an index—shall draw up all messages to the mayor and aldermen, and send them by the messenger; and shall attend the meetings of the committees of the council, and make their records when required.

JOINT RULES AND ORDERS

OE THE

CITY COUNCIL.

Art. 1. At the commencement of the municipal year, the following joint standing committees shall be appointed unless ortherwise ordered by the respective boards, viz:

A Committee on Finance—to consist of the mayor, one alderman, and five members of the common council.

A Committee on Accounts----To consist of two aldermen, and three members of the common council.

A Committee on Public Property----To consist of two aldermen, and three members of the common council.

A Committee on the Fire Department----To consist of three aldermen, and five members of the common council.

A Committee on Printing.----To consist of, one alderman, and two members of the common council.

A Committee on Public Instruction. To consist of the mayor and two alderman, and the president and four members of the common council.

A Committee on the Alms House and Poor. To consist of two aldermen and five members of the common council.

A Committee on Ordinances. To consist of the mayor, and two members of the common council.

On all joint committees wherein it is provided that the mayor shall be a member, in case of the non-election, decease, inability, or absence of that officer, the chairman of the board of aldermen shall act *ex-officio.*

The member of the board of aldermen first named on every joint committee, of which the mayor is not a member, shall be its chairman ; and in case of his resignation, or inability, the other members of the same board in the order in which they are named ; and after them, the member of the common council, first in order, shall call meetings of the committee, and act as chairman.

Art. 2. In every case of disagreement between the two branches of the city council, if either board shall request a conference, and appoint a committee of conference, and the other board shall also appoint a committee to confer, such committees shall at a convenient hour, to

be agreed upon by their chairman, meet and state to each other verbally, or in writing, as either shall choose, the reasons of their respective boards, for and against the matter in controversy, confer freely thereon, and report to their respective branches.

Art. 3. When either board shall not concur in any action of the other, notice of such non-concurrence shall be given by written message.

Art. 4. Either board may propose to the other for its concurrence, a time to which both boards shall adjourn; and neither shall adjourn without giving notice to the other board, through the messenger, or otherwise.

Art. 5. In all votes when either or both branches of the city council express any thing by way of command, the form of expression shall be, "ORDERED"; and whenever either or both branches express *opinions, principles, facts or purposes*, the form shall be, "RESOLVED."

Art. 6. No committee shall act by separate consultation, and no report shall be received, unless agreed to in committee actually assembled.

Art. 7. It shall be the duty of every joint committee, to whom any subject may be specially referred, to report thereon within four weeks, or to ask for further time.

Art. 8. The reports of all committees, agreed to by a majority of the members shall be made to the board in which the business re-

ferred originated; and all committees may report by ordinance, resolve, or otherwise.

Art. 9. All reports, and other papers, submitted to the city council, shall be written in a fair hand; and no report of any kind shall be endorsed on the memorials or other papers referred to the committee of either branch; and the clerk shall make copies of any papers to be reported by committees, at the request of the respective chairman thereof.

Art. 10. No business shall be transacted by the city council in convention, except such as shall have been previously agreed upon, unless by unanimous consent.

Art. 11. After the annual appropriations shall have been passed, no subsequent expenditure shall be authorised for any object, unless provision for the same shall be made by a specific transfer from some of the appropriations contained in the annual resolutions or by expressly creating therefor a city debt; but no such debt shall be created, unless the resolution authorizing the same pass by the affirmative votes of two thirds of the whole number of each branch of the city council, voting by yeas and nays.

Art. 12. Every joint resolution shall have as many readings in each board as the rules of each board require, after which the question shall be on passing the same; and when the same shall have been passed, it shall be sent to

the other board for concurrence; and when such resolution shall have been passed by each board, the same shall be enrolled by the city clerk, and examined by a committee of the common council; and on being found correctly enrolled, without further reading or question, shall be signed by the president of the common council, and sent to the other board, where a like examination shall be made by a committee of that board; and if found correctly enrolled, the same shall be signed by the mayor.

Art. 13. Every ordinance shall have as many readings in each board as the rules of each board require, after which the question shall be on passing the same to be enrolled, and it shall be sent to the other board for concurrence; and when such ordinance shall have so passed to be enrolled in each board, the same shall be enrolled by the city clerk, and examined by a committee of the common council; and on being found by said committee to be correctly enrolled, the same shall be reported to the council, when the question shall be on passing the same to be ordained; and when said ordinance shall have so passed to be ordained, it shall be signed by the president of the common council, and sent to the other board, where a like examination shall be made by a committee of that board; and if found to be correctly enrolled, the same shall be reported to the board, and the question shall be on

passing the same to be ordained; and when the same shall have passed to be ordained, it shall be signed by the mayor.

Art. 14. No enrolled ordinance or resolution shall be amended.

Art. 15. No chairman of any committee shall audit or approve any bill or account against the city, for any supplies or service which shall not have been ordered or authorized by the committee.

Art. 16. Joint standing committees shall cause records to be kept of their proceedings, in books provided by the city for that purpose.

Art. 17. No vote by which an order, resolve, or ordinance, has been passed in its final stage, shall be reconsidered in either board, after the same has been finally acted upon in the other board, unless the motion for reconsideration be made, or notice given, at the same meeting at which the vote to be reconsidered passed; and when any order, resolve, or ordinance, shall have been rejected, no other, substantially the same, shall be introduced by any committee, or member, during the municipal year, without the consent of two-thirds of the members present.

POLICE COURT.

AN ACT

For the better establishment of the Police Court of the City of Newburyport.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The Police Court of the City of Newburyport, shall from and after the time this act takes effect, have exclusive jurisdiction of all crimes and offences committed within the limits of said city, whereof Justices of the Peace may now, or hereafter, legally take cognizance.

SECT. 2. The standing justice of said court shall, hereafter, receive from the city of Newburyport an annual salary, the amount of which

shall, from time to time, be determined by the city council, but said salary shall not be less than four hundred nor more than eight hundred dollars, and shall be paid in quarterly payments; which salary shall be in full for his services both as clerk and justice, and for the occasional services of the special justices hereof, who shall be paid by said standing justice, out of his salary, the same fees that Justices of the Peace receive in like cases.

SECT. 3. The standing justice shall perform the duties of clerk, and, as such, shall exhibit once a year to the Board of Accounts, hereinafter established, a true and particular account of the costs, fines, forfeitures and of all other moneys received by him, for blanks, copies, or otherwise, which account, if approved by said board, shall be delivered by the justice to the treasurer of Newburyport, to be by him safely filed and kept. The said justice shall give a bond, with a surety or sureties, to the acceptance of the city council, for the faithful performance of the duties of his office as clerk.

SECT. 4. The Mayor of the City of Newburyport, and the County Treasurer of the county of Essex shall constitute a board of accounts, with the power and the duty, to examine and allow, or disallow, all bills of costs, accounts and charges which may appertain to the course of proceedings in said Police Court;

and a certificate of such examination and allowance shall be endorsed by the said board on the accounts exhibited, and shall be addressed to the public officer by or to whom such charges, fees, and expenses may be payable by law. The members of said board of accounts shall be entitled to receive, from the treasury of the city of Newburyport, the sum of three dollars for each and every day which shall be devoted to the duties hereby assigned to them.

SECT. 5. All the fees received by said standing justice in the course of his judicial proceedings, both civil and criminal, with all the costs in criminal prosecutions, which have been taxed, certified and allowed, and the fines and forfeitures which enure to the benefit of the city of Newburyport, shall be collected by said justice in the mode prescribed by law for Justices of the Peace in like cases, and shall be by him, once a quarter, accounted for in detail, and paid over to the treasurer of the city of Newburyport, whose duty it shall be, to pay, from the costs so received, the officers, witnesses, and other persons, whose fees have been taxed, certified and allowed by said justice.

SECT. 6. The said standing justice shall, annually, in the month of January, make a report to the city council of Newburyport, which report shall set forth every criminal

complaint made in the Police Court, the name of the person accused, the description of the offence alleged and the decision of the court in each case, with the full costs incident thereto.

SECT. 7. The jurisdiction of the Police Court of the city of Newburyport shall not be limited by reason of any interest on the part of the justices of said court in the payment of fines and costs into the treasury of the city of Newburyport, or of the county of Essex.

SECT. 8. The costs taxed, allowed and certified, by the special justice, shall be paid to the standing justice.

SECT. 9. This act shall take effect from and after its passage.

[Approved by the Governor, May 5, 1852.]

WARDS.

WARD I. This ward shall include all the territory of the city south-easterly of a line drawn from Merrimac street up the centre of Charles street; from thence pursuing a straight line crossing Purchase street and Milk street into Newbury street; thence through the centre of Newbury street; thence south-west up the centre of South street on a straight line to the bounds of the city.

WARD II. This ward shall contain all the territory north-westerly of the last-named line to Federal street, including all the houses bounded on said street, and pursuing a line south-westerly from the north-west side of said street to the bounds of the city.

WARD III. This ward shall contain all the territory north-west of the last-named line to the centre of State street; from thence pursuing a straight line south-westerly to the

bounds of the city, diverging on the north-east end of the line so as to embrace the Market House.

WARD IV. This ward shall contain all the territory north-west of the middle of State street or the north-west line of ward number three to the middle of Winter street, continuing on a straight line to the south-westerly bounds of the city.

WARD V. This ward shall contain all the territory north-west of the bounds of ward number four embraced within a line running by Merrimac river to a point on a line with the centre of Warren street, thence pursuing a line through the centre of said Warren street south-westerly to the bounds of the city.

WARD VI. This ward shall contain all the territory of the city lying north-westerly of the last-named line.

GOVERNMENT

OF THE

CITY OF NEWBURYPORT.

1852.

MAYOR,

CALEB CUSHING.

ALDERMEN.

WARD 1.—THOMAS HUSE.
" 2.—PHILIP JOHNSON.
" 3.—MOSES DAVENPORT.
" 4.—NATHANIEL HORTON.
" 5.—JOHN M. COOPER.
" 6.—JOSEPH ROBERTS.

COMMON COUNCIL.

PHILIP K. HILLS, *President.*

WARD 1.
George W. Knight,
John Woodwell,
Edward Kimball,

WARD 2.
Mark Symons,
Rufus Smith,
Edmund Pike.

WARD 3.
Issac H. Boardman,
Samuel T. Payson,
Moses Hale.

WARD 4.
Wm. C. Balch,
Philip K. Hills,
Eben F. Stone,

WARD 5.
George W. Hill,
Silas E. Sherman,
Enoch G. Currier.

WARD 6.
John Currier, Jr.,
John Colby,
Geo. W. Jackman, Jr.

CITY CLERK.

ELEAZER JOHNSON.

Salary $300, and fees.

CLERK OF COMMON COUNCIL.

EDWARD BURRILL.

Salary $50.

CITY MESSENGER.

DAVID E. CUTTER.

Salary $250.

TREASURY AND COLLECTOR.

DANIEL GRANGER.

Salary $50, and one per cent. on amount collected.

ASSESSORS.

Newman Brown, Moses Pettengill.
William E. Currier.

ASSISTANT ASSESSORS.

Daniel Colman, Geo. W. Jackman, Jr.,
John F. Stickney.

OVERSEERS OF THE POOR.

Ward 1, Charles H. Ireland,
" 2, William Pritchard,
" 3, Daniel Colman,
" 4, Daniel Pike,
" 5, Henry Stone,
" 6, John Colby.

KEEPER OF THE ALMS HOUSE.

STEPHEN CALDWELL.

JOINT STANDING COMMITTEES.

ON FINANCE.

The Mayor, ex-officio.	*Common Council.*
Alderman.	Eben F. Stone.
Nathaniel Horton.	Geo. W. Knight,
	Isaac H. Boardman,
	Rufus Smith.
	John Currier, Jr.

ON ACCOUNTS.

Aldermen.	*Common Council.*
John M. Cooper,	William C. Balch,
Philip Johnson.	Mark Symons,
	G. W. Jackman, Jr.

ON PUBLIC PROPERTY.

Aldermen.	*Common Council.*
Philip Johnson,	Isaac Boardman,
John M. Cooper.	John Currier Jr.,
	Edmund Pike.

ON THE FIRE DEPARTMENT.

Aldermen.	*Common Council.*
Moses Davenport,	G. W. Jackman, Jr.
Thomas Huse,	Samuel T. Payson,
John M. Cooper.	Edward Kimball,
	Silas E. Sherman,
	Edmund Pike.

ON PRINTING.

Alderman.	*Common Council.*
Joseph Roberts.	Eben F. Stone,
	George W. Knight.

ON PUBLIC INSTRUCTION.

The Mayor, ex-officio.

Aldermen
John M. Cooper,
Joseph Roberts.

Common Council.
The President, ex-officio.
Mark Symons,
John Currier, Jr.,
George W. Knight,
Enoch G. Currier.

ON ALMS HOUSE AND THE POOR.

Aldermen.
Thomas Huse,
Joseph Roberts.

Common Council.
Rufus Smith,
Edward Kimball,
Moses Hale,
John Colby,
Enoch G. Currier.

ON ORDINANCES.

The Mayor, ex-officio.

Common Council.
Eben F. Stone,
Geo. W. Jackman.

ON FUEL.

Aldermen.
Philip Johnson,
Moses Davenport,

Common Council.
Isaac H. Boardman,
Mark Symons,
George W. Hills.

ON HIGHWAYS.

The Mayor, ex-officio.

Aldermen.

Ward 1. Thomas Huse,
" 2. Philip Johnson,
" 3. Moses Davenport,
" 4. Nathaniel Horton,
" 5. John M. Cooper,
" 6. Joseph Roberts.

Common Council.

Ward 1. John Woodwell,
" 2. Edmund Pike,
" 3. Samuel T. Payson,
" 4. William C. Balch,
" 5. George W. Hill,
" 6. John Colby.

STANDING COMMITTEES
OF THE
BOARD OF MAYOR AND ALDERMEN.

ON POLICE.

The Mayor ex-officio.
Aldermen Roberts and Huse.

ON ELECTIONS.

Aldermen Davenport, Huse and Cooper.

ON LICENSES.

Aldermen Horton, Roberts and Huse.

ON ENROLLED BILLS.

Aldermen Huse, Davenport and Johnson.

STANDING COMMITTEES OF THE COMMON COUNCIL.

ON ELECTIONS AND RETURNS.

John Colby, Silas E. Sherman, J. Woodwell.

ON BILLS IN SECOND READING.

Moses Hale, Wm. C. Balch, Enoch G. Currier.

POLICE DEPARTMENT.

JAMES CARY, *City Marshal.*

Salary, $100, and fees.

POLICE COURT.

S. W. Marston, Justice of the Police Court.

POLICE OFFICERS.

David F. Brown, John Akerman,
Samuel Caswell, David E. Cutter.

NIGHT POLICE.

CHARLES PEABODY, *Capt.*

Gideon E. Leighton, James Thurlow

FIELD DRIVERS.

Thomas G. Dodge, Daniel L. Morse
Nathan Towle, Caleb Howard.

POUND KEEPERS.

Augustus Pearson, Francis E. Pillsbury.

FENCE VIEWERS.

Henry Stover, Henry Roaf,
Philip R. Piper. Daniel D. Greenleaf.

SURVEYORS OF LUMBER.

Jacob Stickney, Jr., Moody Pearson,
Tristram Coffin, Jr., Edward Kimball,
Benjamin Newman, William Thurston,
Jabez L Pearson, Henry Stover.
George T. Granger, Wm. C. Williams.
William S. Dodge, James C. Colman.
Hervey Kimball, Moses M. Merrill,
Thurston S. Chase, John Colby,
John Woodwell, Samuel Varnham,
George Granger, G. W. Jackman, Jr.

MEASURERS OF WOOD AND BARK.

Jacob Stickney, Jr. Tristram Coffin, Jr.
Moody Pearson. Benj. Newman.
Jabez L. Pearson, Thurston S. Chase,
Joseph Bartlet, William Merrill.
John Colby, Samuel Varnham,
Hervey Kimball.

MEASURERS OF CHARCOAL.

Benjamin Newman, Jacob Stickney, Jr.,
Jabez L. Pearson, Moody Pearson,
Hervey Kimball, Samuel Varnham.

SEALER OF WEIGHTS AND MEASURES.

Charles R. Sargeant.

FIRE DEPARTMENT.

NATHANIEL HUNT, *Chief Engineer.*

Salary $100.

ASSISTANT ENGINEERS.

Edward Burrill, Thomas H. Lord,
Edmund Bartlett, Jr., Simon Jordan,
Moses M. Ross, Frederic Cheever.

FOREMEN OF ENGINES.

Name.	*Location.*	*Foremen.*
No. 1, Deluge,	Merrimac st,	John B. Tuttle.
" 2, Mechanic,	Water,	Wm A. Davis,
" 3, Protector,	Congress,	Sam'l T. Brown.
" 4, Tiger,	Prospect.	O. H. Rundlett.
" 5, Eagle,	Pleasant,	John Newman,
" 6, Agile,	Water,	John B. Seward,
" 7, Torrent,	Merrimac,	Wm. D. Foster.
" 8, Neptune,	Marlboro',	John B. Porter.

HOOK AND LADDER COMPANY.

No. 1, Warren, Pleasant st, Geo. C. Palmer.

WARD OFFICERS.

WARD 1.

Warden.
Major Goodwin.
Clerk.
Mathew Merriam,
Inspectors.
David G. Woodwell,
Henry A Lander,
Cutting Pettingell,

WARD 2.

Warden.
Philip Johnson,
Clerk.
Moses H. Sargent,
Inspectors.
Charles M. Bayley,
George Greenleaf,
Nicholas Varina,

WARD 3.

Warden.
Nathaniel S. Osgood,
Clerk.
Joseph H. Bragdon,
Inspectors.
Daniel S. Blake,
Chas. W. Davenport,
Rufus S. Griffith,

WARD 4.

Warden.
William Thurston
Clerk.
Daniel Granger,
Inspectors.
Wm. A. Marston,
John Buntin,
Eleazer R. Walker.

WARD 5.

Warden.
Edward Burrill,
Clerk.
Joseph N. Mace,
Inspectors.
Wm. H. Brewster,
Robert Sherman,
John Newman,

WARD 6.

Warden.
G. W. Jackman, Jr.
Clerk.
John M. Tewksbury,
Inspectors.
Amos Wood,
Samuel C. Currier,
Daniel T. Colman.

SCHOOL COMMITTEE.

Henry W. Kinsman, *Chairman.*
Daniel P. Pike, *Secretary.*

Ward 1. Hervey Kimball, William Gordon,
" 2. William Graves, Mark Symons.
" 3. R. S. Curtis, Randolph Campbell,
" 4. Daniel P. Pike, Jeremiah H. Sawyer,
" 5. Henry W. Kinsman, Benj. I. Lane.
" 6. Henry Merrill, Jr., E. P. Grosvenor.

SCHOOLS AND TEACHERS.

Schools.	Teachers.
Brown High,	Mr Harry Brickett, Prin. Mr Thos. Bartlett, Ass't.
Female High,	Mr M. P. Case, Princ'l, Miss S. A. Green, Miss M. Clarkson, Assistants.
North Male Gram'r,	Mr E. G. French.
West Male Gram'r,	Mr N.A.Moulton, Prin'l. Mrs. M.E.Moulton, As't.
South Male Gram'r,	Mr J. H. Noyes, Prin'l, Miss N.E. Pearson, As't.
North Female Gram	Miss Emily J. Bartlett.
Centre Female Gr.,	Miss H. M. Brown, Prin. Miss H. B. Osgood, As't.
South Female Gr.,	Miss E. J. Brown, Prin'l. Miss H.D.DeFord, As't.
Ashland Mixed Gr.,	Miss F. J. Lamson,

Schools.	Teachers.
Adelphi Male Gr.,	Mr W. L. Thompson.
Adelphi Female Gr,	Miss H. W. Hale.
Ashland Mixed Gr.	Mr M. O. Hall,
1st Mixed Primary,	Miss M. A. Gerrish,
2d Mixed Primary,	Miss A. L. Whidden.
3d Mixed Primary,	Miss G. F. Evans.
1st Male Primary,	Miss M. J. F. Chase.
2d Male Primary,	Miss M. A. Frothingham.
3d Male Primary,	Mr Henry W. Chapman.
4th Male Primary,	Miss M. E. Jaques.
5th Male Primary,	Miss S. E. Stickney.
6th Male Primary,	Miss C. G. Shaw.
7th Male Primary,	Miss Emily J. Bartlett,
8th Male Primary,	Miss L. C. Haskell.
1st Female Primary,	Miss E. A. W. Pearson.
2d Female Primary,	Miss A. P. Bassett.
3d Female Primary,	Miss M. G. Pike.
4th Female Primary,	Miss N. S. Ingraham.
5th Female Primary,	Miss S. F. Whittemore.
6th Female Primary,	Miss J. Prescott.

STREETS AND COURTS.

Adelphi, from 22 Marlborough to 27 South.
Allen, fr 46 High to 21 Newbury
Ann, fr 29 Federal to 44 Lime.
Ashland, fr Merrimac to High
Ashland Place, fr 18 Ashland.
Atkinson, from 16 Strong to 21 Boardman.
Auburn, fr 100 High to Low.
Bartlett Mall, High st. between State and Market.
Beck, fr 17 Federal to 30 Lime.
Berry, fr 5 Market to 4 Titcomb
Birch, fr 26 Market to 23 Winter
Boardman, fr 71 High to 113 Merrimac.
Broad, fr 169 Merrimac to High
Brown's Square, fr 13 Titcomb to Green.
Buck, fr 51 High to 7 Congress.
California, fr Merrimac to Walnut.
Carter, fr High (opposite Mt. Rural) to Merrimac.
Carey's Avenue, rear 74 High to Back.
Centre, fr 17 Middle to 28 Water
Charter, fr 63 State to 36 Fair.
Charles, from 98 Water to 7 Purchase.
Chickering, fr Auburn to Pond.
Coffin's Court, opens 45 High.
Congress, fr 32 Kent to 22 Olive.
Court, fr 105 High to 9 Union.
Cutter's Court, from 32 Warren to Carter.
Dove, from 151 Merrimac to 6 Munroe.
Eagle, fr Kent to Carter.
Elbow Lane, fr 2 Water to Liberty
Elm, fr 127 Merrimac to Plum.
Essex, fr 41 State to 28 Fair.
Fair, fr 42 Water to 23 Prospect.
Federal, fr 80 High to 70 Water
Franklin, from 14 Purchase to 139 Water.
Fruit, fr 153 High to 24 Prospect
Green, fr 109 High to 1 Merrimac
Hale's Court, rear 37 Pleasant to State.
Hancock, opens 31 Marlboro' to South.
Harris, fr 37 Green to 98 State.
Harris, fr Water to 42 Adelphi.
High, from Oldtown Bridge to Amesbury Ferry.
Hill, from Pond to Parker.
Independent, from 43 Middle to 46 Water.
Inn, from 36 Market Square to 14 Pleasant.
Johnson, from High to Low.
Jefferson, from 308 High to the river.

Kent,fr 37 High to141 Merrimac
Liberty, from 23 Market Square to 22 Federal.
Lime, fr 60 High to 94 Water.
Low, fr Auburn to West Newbury road.
Madison, fr Water to Hancock.
Market, fr 97 High to 75 Merrimac.
Market Square, between Merrimac and Water.
Marlboro' fr Water to 24 High.
Middle, fr 36 Federal to 5 State.
Milk, fr 35 Federal to 34 South.
Merrill, from 8 Congress to 133 Merrimac.
Merrimac, from Market Sq. to Essex Merrimac Bridge.
Munroe, fr 17 North to 32 Kent.
Newbury,fr 44 South to 63 Lime
North,fr 5 High to 199 Merrimac
Ocean, from Kent to Carter.
Olive, from 61 High to 183 Merrimac.
Orange, fr 60 Federal to 47 Fair
Park, fr 119 High to 3 Harris.
Parsons, fr 54 High to 10 Newbury.
Pettingell's Court, fr 170 Water to 24 High.
Pike, fr 36 Water to 31 Liberty.
Pine, from Marlborough.
Pleasant,fr 27 Green to 60 State.
Pond, fr High to Auburn.
Plum, fr 12 Olive to Elm.
Purchase, fr 24 South to 45 Lime
Prospect, from 70 Federal to 87 State.
Roberts, fr 62 Lime to 43 Federal.
Russia, fr 27 Kent to 20 Olive.
Salem, from 104 Water to 13 Purchase.
School, fr 38 Lime to 23 Federal
Ship, from 78 Water to 7 Beck.
South, fr 197 High to 147 Water
South Union, fr Marlborough to Plum Island Turnpike.
Spring, fr 52 Federal to 39 Fair
State, fr 135 High to Market sq.
Strong, from 97 Merrimac to 38 Washington.
Summer, fr 93 High to 83 Merrimac.
Tappan, fr High to Low.
Temple,fr 64 Federal to 77 State
Titcomb, fr 10 Union to 59 Merrimac.
Titcomb Place, from 75 State.
Tremont Place, fr 30 Prospect.
Tyng, fr 9 High to179 Merrimac
Unicorn, fr 23 Market sq. to 34 Pleasant.
Union, fr 27 Market to 32 Green
Vernon, fr 10 Auburn to Carey's avenue.
Walnut, fr Woodland to North.
Warren, from 155 Merrimac to Eagle.
Washington,fr 35 Olive toGreen
Water, from Market sq to Plum Island Turnpike.
West India Lane, fr Pond st. to Frog Lane.
Winter, fr 89 High to 93 Merrimac.
Williams'Court,fr 103Merrimac
Woodland, fr Merrimac to High
Woodland Court, fr 22 Woodl'd.

INDEX.

ALDERMEN, how chosen 6
powers and duties of 11 16 17 42 59
ACCOUNTABILITY, system of, in expenditures of the city 35
ACCOUNTS, how presented and collected, see ordinance No 3 35
duties of committee of 35
ASSESSORS, how chosen 12
to be sworn 15
powers and duties of 15 33
ASSISTANT MARSHALS, how appointed 11 47
BOARD OF HEALTH 59
powers and duties of 46 47
CITY CHARTER 3
CITY CLERK, how chosen 12
to be sworn 14
shall give bonds 41
duties of 14 33 36 37 38 39 44
CITY MARSHAL, how appointed 11 46
to give bonds 46
powers and duties of 46 47 48 60
CITY PROPERTY, care of, vested in city council 13
schedule of, to be published yearly 13
CLERK OF THE COMMON COUNCIL, how chosen 9
duties of 73
COLLECTOR OF TAXES, how chosen 12
bonds of 41
duties of 34
COMMITTEES, standing, joint, how constituted 75
of the Board of Aldermen 65
of the Common Council 72
COMMON COUNCIL, how chosen 6
how organized 9
COMMON SEWERS, how laid down 17
CONSTABLES, how appointed 11

COUNTY OFFICERS, election of 19
DEEDS, how executed 45
DRAINS, how laid down 17
FINANCE, duties of committee of 40
FENCE VIEWERS, how chosen 42
FIELD DRIVERS, how chosen 42
FIRE DEPARTMENT, act establishing 28
do. continued 16
HEALTH, see ordinance of, No. 15 59
HIGHWAYS, how laid out, or discontinued 17
superintendence of 45
JURORS, list of, how prepared 16
MAYOR, how chosen 6
oath, how administered 8
proceedings in case of non-election of 7
proceedings in case of decease, resignation or inability . . . 8
powers and duties of 46 11 16 17 18 42 43 44 46 49 59 62
MEASURERS OF WOOD, BARK AND COAL, how chosen 42
fees of, for measuring 61
form of certificate of measurement 62
MESSENGER, how chosen and duties of 55
ORDINANCES OF THE CITY 32
No. 1. Concerning city ordinances 32
No. 2. Concerning the assessment and collection of taxes . . 33
No. 3. Establishing a system of accountability in the expenditures of the city 35
No. 4. Prescribing the mode of appointment of certain city officers . 42
No. 5. Concerning the form of warrants and the manner of serving, executing and returning the same 42
No. 6. Providing for the execution of deeds in behalf of the city . 45
No. 7. Relating to the superintendence of Highways 45
No. 8. Authorising the appointment and prescribing the duties of city marshal and assistants 46
No. 9. Establishing a night watch 49
No. 10. For the prevention of certain acts in the streets of the city . 50
No. 11. Establishing the office of city messenger 55
No. 12. Concerning common criers 57
No. 13. In addition to an ordinance on the superintendence of highways 58
No. 14. To establish the city arms and seals 58
No. 15. Of Health 59
No. 16. Concerning the admeasurement and sale of wood, bark and coal 61
No. 17. In addition to an ordinance concerning the assessment and collection of taxes 62
OVERSEERS OF THE POOR, how chosen 14
powers and duties of 14 15

POLICE COURT, act for the better establishment of 81
POUND KEEPER, how appointed 42
PRESIDENT OF COMMON COUNCIL, how elected 9
to be sworn 9
RECEIPTS AND EXPENDITURES, account of, to be published yearly . 13
RULES AND ORDERS, JOINT, OF CITY COUNCIL 74
Art. 1, Standing committees of, how constituted; Art. 2, Conference, committee of, duties of; Art. 3, Non-concurrence, notice of; Art. 4, Adjournment, notice of; Art. 5, Votes, form of; Art. 6, Committees, separate consultation of, not allowed; Art. 7, Shall report within four weeks, or &c.; Art. 8, Shall report to the board where the business originated; Art. 9, Reports, how written; Art. 10, Business of convention, how limited; Art. 11, Expenditures subsequent to the annual appropriations, how authorized; Art. 12, Joint resolutions, several stages of, how passed; Art. 13, Ordinances, several stages of, how passed; Art. 14, Enrolled ordinances or resolutions, incapable of amendment; Art. 15, Bills unauthorized, shall not be approved; Art. 16, Committees, joint standing, shall keep records; Art. 17, No final vote on a resolve or ordinance, shall be reconsidered, unless &c. No order, or resolution equivalent to one rejected, shall be introduced, unless &c.
RULES AND ORDERS OF BOARD OF ALDERMEN 64
Art. 1, Order of business; Art. 2, Ordinances, several stages of; Art. 3, May be rejected, at either stage; Art. 4, Standing committees, how constituted; Art. 5, How appointed; Art. 6, Rules and orders, how suspended.
RULES AND ORDERS OF THE COMMON COUNCIL - - - - - 66
PRESIDENT, DUTIES OF - - - - - - - - - - - 66
Art. 1, absence of, how supplied; Art. 2, Questions of order, how decided; Art. 3, Vote doubted, how verified; Art. 4, President shall rise, when; Art. 5, May leave the chair, when and how; may state facts and speak to points of order, without leaving his place; Art. 6, Votes, when taken by yeas and nays; Art. 7, Questions, order of propounding; Art. 8, Motions, order of, and what admissible, when a question is under debate; Art. 9, what not debatable; Art. 10, Previous question, how put; Art. 11, Questions incidental to previous questions not debatable, except, &c.; Art. 12, When two or more claim the right to speak, the president shall decide; Art. 13, Committees, how appointed; Art. 14, President may vote.
RIGHTS AND DUTIES OF MEMBERS - - - - - - - - - 69
Art. 15, Every member shall rise to speak; Art. 16, Shall avoid calling another by name; Art. 17, Shall not interrupt, except &c; shall, if called to order, sit down; Art. 18, May speak, how often; Art. 19, May withdraw a motion, when; Art. 20, shall reduce his motion to writing, if &c.; Art. 21, May call for a division of the question; Art. 22, No motion allowed under color of amendment; Art. 23, Motion to

reconsider, when in order; Art. 24, Business, order of; Art. 25, Rules, how suspended or repealed; Art. 26, Shall take notice of adjournment; Art 27, Reading of a paper, when objected to, how determined; Art. 28, Shall not change his seat without leave; Art. 29, Shall not serve on committee, when &c; Art. 80, Shall not rise, till vote to adjourn is declared; Art. 31, Shall vote for salary officers, by written ballot.

COMMUNICATIONS, COMMITTEES, REPORTS, AND RESOLUTIONS - - - 72
Art. 32, Memorials, &c, how presented and disposed of; Art 33, Standing committees of, how constituted; Art. 34, Messages to Mayor and aldermen, how sent; Art. 35, Committee on bills in second reading, duties of; Art. 33, Ordinances, how passed, authorizing the expenditure of money; shall not have more than one reading on the same day, except, &c., Art. 37, Committees of, shall consist of three members; report of, inadmissible, unless, &c.; Art. 38, Shall not sit, when &c,. unless; Art. 39, Clerk of, duties of.

SCHOOL COMMITTEE, how chosen - - - - - - - - - 7
SEALERS OF WEIGHTS AND MEASURES, how chosen - - - 107
STREETS; see Highways - - - - - - - - - - - - 17
ordinance, for preventing certain acts therein - - - - - 50
SURVEYORS OF HIGHWAYS; see ordinance No. 7 - - - - - 45
SURVEYORS OF LUMBER, how appointed - - - - - - - 42
TREASURER, city, how chosen - - - - - - - - - - - 12
duties of - - - - - - - - - - - - - - - 39
bonds of - - - - - - - - - - - - - - - 41
WARD OFFICERS, how chosen - - - - - - - - - - 57
duties of - - - - - - - - - - - - - - - 57
WARDS, division of - - - - - - - - - - - - - 85
WARRANTS, for meetings - - - - - - - - - - - - 42
WATCH, how appointed - - - - - - - - - - - - 49
powers and duties of; see ordinance No. 9 - - - - - - - 49